

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

DARNELL TYSON, P.E.  
CHIEF DEPUTY COMMISSIONER

JOSEPH T. BROWN, P.E.  
COMMISSIONER

ERIC HOFMEISTER  
DEPUTY COMMISSIONER

January 20, 2023

Rebecca Ferres, Coastal Resources Specialist  
New York State Department of State  
Office of Planning, Development, and Community Infrastructure  
99 Washington Avenue, Suite 1010  
Albany, NY 12231

Re: Supporting Documentation Regarding Changes Made to Smith Point Bridge Replacement Project  
(F-2021-0808)

Dear Ms. Ferres:

The Federal Highway Administration (FHWA), as the federal lead agency with the New York State Department of Transportation (NYSDOT) as their liaison, and Suffolk County Department of Public Works (SCDPW), as the local lead agency, are proposing the Replacement of Smith Point Bridge carrying William Floyd Parkway (County Route [CR] 46) over Narrow Bay (the Project). The Project received a General Concurrence No Objection to Funding dated July 18, 2018 and a Concurrence with Consistency Certification dated January 14, 2022 from the New York State Department of State (NYSDOS). Following this consultation, the following modifications have been made to the Project: (1) to replace the sidewalks of the replacement bridge with a single shared-use pedestrian and cycling path and (2) to construct a small fishing pier below the south end of the bridge. In response to your email communication, dated November 21, 2022, requesting additional information, attachments to this letter provide a revised description of the Project, as well as the requested revised coastal zone consistency assessment. These attachments include a revised Coastal Zone Consistency Assessment (i.e., Federal Consistency Assessment Form (FCAF), State Coastal Assessment Form, and policy analysis), General Concurrence No Objection to Funding dated July 18, 2018, and Concurrence with Consistency Certification dated January 14, 2022.

Should you have any questions or require additional information, please feel free to contact me by email (kyle.swaringen@suffolkcountyny.gov) or telephone (631-852-4078), or Mr. Jesse Moore of AKRF, SCDPW's Environmental Consultant, at jmoore2@akrf.com or 646-388-9773.

Sincerely,

Kyle Swaringen, P.E.  
Director of Bridges & Structures Engineering

Attachments

cc: W. Hillman, P.E.; D. Rissmany (SCDPW); W. Nyman, P.E.; S. Garcia, P.E. (Hardesty & Hanover);  
S. Holley; J. Moore (AKRF, Inc.)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE

YAPHANK, N.Y. 11980

(631) 852-4002  
FAX (631) 852-4006

**FEDERAL CONSISTENCY ASSESSMENT FORM**

NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. APPLICANT (please print)

1. Name: Suffolk County Department of Public Works, Attn: Kyle Swaringen, PE

2. Address: 355 Yaphank Avenue, Yaphank, NY 11980

3. Telephone: Area Code ( ) 631-852-4078

B. PROPOSED ACTIVITY

1. Brief description of activity:

**The Federal Highway Administration (FHWA) as the federal lead agency, with the New York State Department of Transportation (NYSDOT) as their liaison, and Suffolk County Department of Public Works as the local lead agency are proposing the Replacement of Smith Point Bridge (BIN 3-30077-0) over Narrow Bay (proposed project) in the Town of Brookhaven, Suffolk County, NY. The proposed project will provide a high-level fixed bridge with a 75-year service life that will eliminate the need for staffing at the movable bridge and will reduce heavy ongoing maintenance costs. It will provide a 55.6-foot clearance over the water's surface with pier spacing allowing for a 100-foot horizontal clearance at the navigation channel. The bridge will be 45'-10.5" wide, with one 11-foot traffic lane in each direction, two 4-foot wide shoulders, and a new 12-foot wide protected shared-use path for pedestrians and cyclists. The shared-use path will include a belvedere, or viewing area on the bridge, and a low-level public fishing pier will be constructed underneath the south end of the replacement bridge. The new alignment of the replacement bridge will allow the existing bridge to remain in service while construction is completed.**

2. Purpose of activity

**The main objective of the proposed project is to eliminate the structural deficiencies of the existing bridge while improving safety and access for pedestrians and cyclists. The existing bridge provides the only vehicular link from the Long Island mainland to Smith Point County Park and the eastern end of Fire Island National Seashore. The proposed project will also improve resiliency by replacing the low-level bascule span with a high-level fixed bridge.**

3. Location of activity

<u>Suffolk</u>	<u>Town of Brookhaven</u>	<u>Smith Point Bridge and</u>
County	City, Town, or Village	County Route (CR) 46 –
		William Floyd Parkway
		Street or Site Description

4. Type of federal permit/license required: USCG Bridge Permit; USACE Section 404 and Section 10 Permits; USFWS Coastal Resources Barrier Act approval

5. Federal application number, if known: NAN-2021-01050-EBR

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application number, if known:



- C. COASTAL ASSESSMENT Check either “YES” or “NO” for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following:

YES/NO

- a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43)
- b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44)
- c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1)
- d. Reduction of existing or potential public access to or along coastal waters? (19, 20)
- e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9, 10)
- f. Siting of a facility essential to the exploration, development, and production of energy resources in coastal waters or on the Outer Continental Shelf? (29)
- g. Siting of a facility essential to the generation or transmission of energy? (27)
- h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35)
- i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35)
- j. Draining of stormwater runoff or sewer overflows into coastal waters? (33)
- k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39)
- l. Adverse effect upon land or water uses within the State’s small harbors? (4)

	X
X	
	X
	X
	X
	X
	X
X	
	X
X	
X	
	X

2. Will the proposed activity affect, or be located in, on, or adjacent to any of the following:

YES/NO

- a. State designated freshwater or tidal wetland? (44)
- b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17)
- c. State designated significant fish and/or wildlife habitat? (7)
- d. State designated significant scenic resource or area? (24)
- e. State designated important agricultural lands? (26)
- f. Beach, dune or Barrier Island? (12)
- g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3)
- h. State, county, or local park? (19, 20)
- i. Historic resource listed on the National or State Register of Historic Places? (23)

X	
X	
X	
	X
	X
X	
	X
X	
X	

3. Will the proposed activity require any of the following:

YES/NO

- a. Waterfront site? (2, 21, 22)
- b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5)
- c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16)
- d. State water quality permit or certification? (30, 38, 40)
- e. State air quality permit or certification? (41, 43)

X	
	X
	X
X	
	X

4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program? (see policies in local program document\*)

	X
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D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.

2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document.\* The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy, and (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

**See attachment for consistency analysis of "Yes" answers with the appropriate New York State Coastal Management policies.**

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Suffolk County Department of Public Works, Attn: Kyle Swaringen, PE

Address: 355 Yaphank Avenue Yaphank, NY 11980

Telephone: Area Code ( ) 631-852-4078

Applicant/Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue – Suite 1010, Albany, New York 12231.**

- a. Copy of original signed form.
- b. Copy of the completed federal agency application.
- c. Other available information which would support the certification of consistency.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

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\* These state and local documents are available for inspection at the offices of many federal agencies, Department of Environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

**NEW YORK STATE CONSISTENCY ASSESSMENT FORM**

NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered “yes,” then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQR, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):

- (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) ☒
- (b) Financial assistance (e.g. grant, loan, subsidy) ☐
- (c) Permit, license, certification ☐

2. Describe nature and extent of action:

**The Federal Highway Administration (FHWA) as the federal lead agency, with the New York State Department of Transportation (NYSDOT) as their liaison, and Suffolk County Department of Public Works as the local lead agency are proposing the Replacement of Smith Point Bridge (BIN 3-30077-0) over Narrow Bay (proposed project) in the Town of Brookhaven, Suffolk County, NY. The proposed project will provide a high-level fixed bridge with a 75-year service life that will eliminate the need for staffing at the movable bridge and will reduce heavy ongoing maintenance costs. It will provide a 55.6-foot clearance over the water’s surface with pier spacing allowing for a 100-foot horizontal clearance at the navigation channel. The bridge will be 45’-10.5” wide, with one 11-foot traffic lane in each direction, two 4-foot wide shoulders, and a new 12-foot wide protected shared-use path for pedestrians and cyclists. The shared-use path will include a belvedere, or viewing area on the bridge, and a low-level public fishing pier will be constructed underneath the south end of the replacement bridge. The new alignment of the replacement bridge will allow the existing bridge to remain in service while construction is completed.**

**The main objective of the proposed project is to eliminate the structural deficiencies of the existing bridge while improving safety and access for pedestrians and cyclists. The existing bridge provides the only vehicular link from the Long Island mainland to Smith Point County Park and the eastern end of Fire Island National Seashore. The proposed project will also improve resiliency by replacing the low-level bascule span with a high-level fixed bridge.**

3. Location of action:

Suffolk  
County

Town of Brookhaven  
City, Town or Village

Smith Point Bridge and County Route (CR)  
46 – William Floyd Parkway  
Street or Site Description



4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:

(a) Name of applicant: Suffolk County Department of Public Works, Attn: Kyle Swaringen, PE

(b) Mailing address: 355 Yaphank Avenue Yaphank, NY 11980

(c) Telephone Number: Area Code 631-852-4078

(d) State agency application number: Unknown

5. Will the action be directly undertaken, require funding, or approval by a federal agency?

Yes ☒ No

If yes, which federal agency?

Federal Highway Administration  
(FHWA)

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

	<u>YES</u>	<u>NO</u>
1. Will the proposed activity be <u>located</u> in, or contiguous to, or have a <u>significant effect</u> upon any of the resource areas identified on the coastal area map:		
(a) Significant fish or wildlife habitats?	<u>X</u>	<u>          </u>
(b) Scenic resources of statewide significance?	<u>          </u>	<u>X</u>
(c) Important agricultural lands?	<u>          </u>	<u>X</u>
2. Will the proposed activity have a <u>significant effect</u> upon:		
(a) Commercial or recreational use of fish and wildlife resources?	<u>          </u>	<u>X</u>
(b) Scenic quality of the coastal environment?	<u>          </u>	<u>X</u>
(c) Development of future, or existing water dependent uses?	<u>          </u>	<u>X</u>
(d) Operation of the State's major ports?	<u>          </u>	<u>X</u>
(e) Land and water uses within the State's small harbors?	<u>          </u>	<u>X</u>
(f) Existing or potential public recreation opportunities?	<u>          </u>	<u>X</u>
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation?	<u>X</u>	<u>          </u>
3. Will the proposed activity <u>involve or result in</u> any of the following:		
(a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters?	<u>X</u>	<u>          </u>
(b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area?	<u>X</u>	<u>          </u>
(c) Expansion of existing public services of infrastructure in undeveloped or low density areas of the coastal area?	<u>          </u>	<u>X</u>
(d) Energy facility not subject to Article VII or VIII of the Public Service Law?	<u>          </u>	<u>X</u>
(e) Mining, excavation, filling or dredging in coastal waters?	<u>X</u>	<u>          </u>
(f) Reduction of existing or potential public access to or along the shore?	<u>          </u>	<u>X</u>
(g) Sale or change in use of state-owned lands located on the shoreline or under water?	<u>          </u>	<u>X</u>
(h) Development within a designated flood or erosion hazard area?	<u>X</u>	<u>          </u>
(i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	<u>X</u>	<u>          </u>
4. Will the proposed action be <u>located</u> in or have a <u>significant effect</u> upon an area included in an approved Local Waterfront Revitalization Program?	<u>          </u>	<u>X</u>

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or  
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State  
Office of Coastal, Local Government and Community Sustainability  
One Commerce Plaza  
99 Washington Avenue, Suite 1010  
Albany, New York 12231-0001

If assistance of further information is needed to complete this form, please call the Department of State at (518) 474-6000.

E. REMARKS OR ADDITIONAL INFORMATION

**See attachment for consistency analysis of “Yes” answers with the appropriate New York State Coastal Management policies.**

Preparer's Name: **Kyle Swaringen, PE**  
(Please print)

Title: **Project Manager** Agency: **Suffolk County Department of Public Works**

Telephone Number: **631-852-4078** Date: \_\_\_\_\_

## **COASTAL ZONE CONSISTENCY POLICY ANALYSIS**

### A. INTRODUCTION

The Federal Highway Administration (FHWA), as the federal lead agency with the New York State Department of Transportation (NYSDOT) as their liaison, and Suffolk County Department of Public Works, as the local lead agency, are proposing the Replacement of Smith Point Bridge carrying William Floyd Parkway (County Route [CR] 46) over Narrow Bay. The proposed project will provide a high-level fixed bridge with a 75-year service life that will eliminate the need for staffing at the movable bridge and will reduce heavy ongoing maintenance costs. The proposed project will address the geometric deficiencies to improve mobility, safety and operations for motorists, pedestrians, and bicyclists, and provide features that meet Americans with Disabilities Act (ADA) requirements. The new alignment will allow the existing bridge to remain in service while construction of the replacement bridge takes place, therefore having minimal impact on the existing traffic in the project area. The profile of the replacement bridge will be established to provide a 55.6-foot clearance over the navigational channel with pier spacing allowing for a 100-foot horizontal clearance at the navigation channel.

The proposed project was initiated in 2016 as a bridge replacement to address major structural and operational deficiencies and other nonstandard features. Many repair contracts and evaluations have been previously conducted and regular maintenance has been conducted on the existing bridge, but the combination of its age and exposure to the marine environment has resulted in ongoing deterioration. There are other issues that impact the overall safety and mobility during use of the existing bridge. The sidewalk widths on the existing bridge do not meet current ADA requirements. Also, because the existing structure consists of two vehicular travel lanes without shoulders or roadway barriers, bicyclists are not provided safe access to and from Smith Point County Park. SCDPW prepared a Final DR/EA pursuant to NEPA and SEQRA. The Preferred Alternative identified in the Final DR/EA received design approval and a FONSI from FHWA and NYSDOT in July 2019. Subsequently, as the initial work on the final design for the project advanced, the following modifications to the design of the 2019 Final DR/EA's Preferred Alternative have been made, resulting in the Modified Preferred Alternative (as shown in **Figure 1**):

- Bridge piers will be a “T-shaped” hammerhead piers, instead of the inverted “U-shaped” piers. The pier type was changed during the Preliminary Design as the hammerhead pier type was the most economical and considered aesthetically pleasing for the bridge.
- The bridge cross-section will be 45 feet 10.5 inches wide, outside face to outside face, which is 1 foot wider than the original design. The Modified design for the Preferred Alternative has a cross-section with one 11-foot traffic lane in each direction, two 4-foot-wide shoulders, and one 12-foot-wide protected shared-use path (SUP), which replaces the previous design that had one 11-foot-wide traffic lane in each direction, two 5-foot-wide shoulders, and two 5-foot-7-inch-wide pedestrian sidewalks (bicyclists would have to dismount or ride along the shoulders in the previously proposed configuration). The SUP for pedestrians and bicyclists

## **Replacement of the Smith Point Bridge (BIN 3-30077-0) over Narrow Bay**

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will be located on the east side of the new bridge. This change is a result of integrating the recommendations in the *2020 Suffolk County Hike & Bike Master Plan*, and recent public input on the bridge's design and project features.

- A belvedere (viewing area) will be incorporated into the SUP to provide an additional viewing point on the east side of the bridge for pedestrians and cyclists who choose to stop and dismount. The belvedere would be located approximately 900 feet south of the bridge's northern terminus. This new element and its location are a result of recent public input on the bridge's design and project features and has been included in coordination with the Suffolk County Department of Public Works (the Project Sponsor).
- A low-level fishing pier will be constructed at the south end of the new bridge, below the bridge and to the east of the new bridge pier columns (**Figure 2**). This new element and its location at the south end have been added to the project in response to public input and in coordination with the Suffolk County Parks Department.
- The new fishing pier will have a path to/from the existing parking lot on the east side of the bridge at Smith Point County Park. The access point has been added to the project in response to public input and in coordination with the Suffolk County Parks Department.
- New staging areas within the Suffolk County Marina have been identified.

### **COASTAL ZONE MANAGEMENT PROGRAM**

The federal Coastal Zone Management (CZM) Act of 1972 was established to support and protect the distinctive character of the waterfront, and to assist coastal states in establishing policies for managing their coastal zone areas. In 1982, New York State adopted a state Coastal Management Program (CMP), designed to balance economic development and preservation in the coastal zone by promoting waterfront revitalization and water-dependent uses while protecting fish and wildlife, open space and scenic areas, public access to the shoreline and farmland, and minimizing adverse changes to ecological systems and erosion and flood hazards. The State program is consistent with the federal CZM Act and contains 44 coastal policies. It also provides for local implementation when a municipality adopts a local waterfront revitalization program that is consistent with the federal CZM Act. Upon review of the Federal and State Consistency Assessment Forms (CAF), New York State CMP policies 2, 7, 11, 12, 15, 17, 19, 20, 21, 22, 23, 28, 30, 33, 35, 36, 38, 39 40, and 44 apply to the proposed project. The following section reviews these policies and assesses the consistency of the proposed project's Modified Preferred Alternative with them. The completed Federal Coastal Assessment Form (CAF), and State CAF reflecting the updated design of the Modified Preferred Alternative are available in **Enclosures 9-1 and 9-2**. New York State Department of State (NYSDOS) previously issued a General Concurrence No Objection to Funding for the Proposed Project on July 18, 2018 (see **Enclosure 9-3** for a copy of this correspondence) and a Concurrence with Consistency Certification for the Proposed Project on January 14, 2022 (see **Enclosure 9-4** for a copy of this correspondence).

The coastal zone management program consistency review process is described in federal regulation at 15 Code of Federal Regulations (CFR) 930: Federal Consistency with Approved Coastal Management Programs, as amended. Consistency review is required for any project that:

- Is in, or is expected to affect the resources or land or water uses of, the New York coastal zone, and
- Requires a state-listed federal license or permit, is federally or state-funded, or is a direct activity of a federal agency.

The Town of Brookhaven currently does not have an adopted or approved LWRP in conformance with the WRCRA. Because the Town has not adopted an LWRP, applicants proposing actions in the coastal zone must file a consistency certification with respect to the CMP policies with the NYSDOS and determine whether there will be any reasonably foreseeable coastal effects on the coastal zone.

## **LONG ISLAND SOUTH SHORE ESTUARY RESERVE COMPREHENSIVE MANAGEMENT PLAN**

The Long Island South Shore Estuary Reserve Act passed by the New York State Legislature created the Long Island South Shore Estuary Reserve (LISSER), which spans from the western boundary of the Town of Hempstead to the middle of the Town of Southampton. LISSER includes Hempstead Bay, South Oyster Bay, Great South Bay, Moriches Bay, Shinnecock Bay, and their watersheds. The LISSER Council prepared a Comprehensive Management Plan, with five policies meant to protect and guide the management of LISSER. A review of the policies and an analysis of consistency with the Comprehensive Management Plan are described below in Section C.

## **B. COASTAL ZONE POLICY ANALYSIS**

### **DEVELOPMENT POLICIES**

***Policy 2:** Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.*

The proposed project would replace a structurally deficient and deteriorating movable bridge with a new high-level fixed bridge. In addition, the Smith Point Bridge provides access to water-dependent uses, particularly recreational uses, on Fire Island. The Modified Preferred Alternative would construct a low-level fishing pier at the south end of the new bridge, providing additional water-dependent recreational uses for the public. It would also include a belvedere (viewing area) on the new bridge that is incorporated into a protected shared-use path for pedestrians and cyclists. Therefore, the proposed project would be consistent with Policy 2.

### **FISH AND WILDLIFE POLICIES**

***Policy 7:** Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.*

NYSDOS has designated Smith Point County Park and Great South Bay–East as Significant Coastal Fish and Wildlife Habitat (SCFWH). The Smith Point County Park SCFWH covers approximately 825 acres and consists of fish and wildlife habitat in the form of open beaches, primary dunes, and salt marshes. Smith Point County Park SCFWH provides important habitat for nesting birds, migrating raptors, and juvenile and adult fish. The Great South Bay–East SCFWH covers approximately 33,580 acres and consists of fish and wildlife habitat in the form of salt marshes, sandflats, muddy sandflats, submerged aquatic vegetation beds, tidal creeks, and open waters. Great South Bay–East SCFWH provides important habitat for migrating and foraging finfish, nursery habitat for finfish and shellfish, and overwintering waterfowl.

As discussed in detail in the Environmental Assessment (**Attachment 10** to the Joint Application) and reaffirmed in the NEPA/SEQRA Re-evaluation (**Attachment 11**) the proposed project's Modified Preferred Alternative would not result in significant impacts to natural resources, including coastal fish and wildlife habitat. The proposed project would not destroy or significantly

impair the viability of the Smith Point County Park or Great South Bay–East SCFWH. To offset impacts to tidal wetlands under the Modified Preferred Alternative, mitigation requirements will be determined in coordination with the USACE and NYSDEC. In addition, staging areas that would be temporarily impacted would be restored to their existing condition following construction. Best management practices (BMPs) in accordance with NMFS recommendations would be used to avoid and minimize impacts to fish and wildlife due to pile driving and controlled blasting activities. Therefore, the proposed project would be consistent with Policy 7.

## **FLOODING AND EROSION POLICIES**

***Policy 11:*** Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

The design for the replacement bridge would minimize the potential for public and private losses due to flood damage under current and projected flood conditions due to the potential for global climate change. In addition, there is no reasonable prudent alternative site available for the replacement bridge. Therefore, the proposed project would be consistent with Policy 11.

***Policy 12:*** Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

The proposed project would be designed and constructed to minimize adverse actions to natural protective features and thus would not affect protective natural features that minimize flooding. Therefore, the proposed project would be consistent with Policy 12.

***Policy 15:*** Mining, excavation, or dredging in coastal waters shall not significantly interfere with the natural coastal processes, which supply beach materials to land adjacent to such waters and shall be undertaken in a manner, which will not cause an increase in erosion of such lands.

There would be no mining, excavation, or dredging activities in coastal waters associated with the proposed project. The Modified Preferred Alternative would require the removal of fill and embankments after the demolition of the existing Smith Point Bridge; however, these activities would not occur within coastal waters. Therefore, Policy 15 would not be applicable to the proposed project.

***Policy 17:*** Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

The replacement bridge would be designed to avoid the risk or damage of flooding to the bridge structure and surrounding property. Dunes, bluffs, or other natural protective features disturbed during construction of the proposed project would be restored and planted with appropriate vegetation to protect and stabilize these natural protective features. During construction of the replacement bridge, measures to reduce erosion and sedimentation (i.e., silt fencing, straw bales) would be incorporated into the Stormwater Pollution Prevention Plan (SWPPP) that would be developed in accordance with the NYSDEC's State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity Permit GP-0-15-002. In addition, there is no reasonable prudent alternative site available for the replacement bridge. Therefore, the proposed project would be consistent with Policy 17.



## **PUBLIC ACCESS POLICIES**

***Policy 19:*** *Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.*

The proposed project would protect, maintain, and increase the level and types of access to water-related recreation resources and facilities, including Smith Point County Park and FIIS by replacing Smith Point Bridge. The project would not preclude or interfere with the development of other planned bike ways or walkways and would be constructed within the existing right-of-way on the north end of the bridge. The south end of the bridge would be constructed within portions of Smith Point County Park. In exchange for this new footprint, the land that becomes available in the footprint of the old bridge would be restored and transferred back to the Suffolk County Parks Department (**Figure 3**).

Under the Modified Preferred Alternative, the existing bridge would remain open during the construction period. The replacement bridge would provide improvements to access via ADA compliant sidewalks and a protected shared-use path for pedestrians and cyclists. Additional visual access would be provided with the construction of a belvedere along the shared-use path. The proposed project's Modified Preferred Alternative would also include the construction of a public fishing pier at the south end of the replacement bridge, which would offer a new recreational use. Overall, there would be an improvement to vehicular access and expected increase in the existing level of pedestrian and bicycle access to water-related recreation resources as a result of the construction or operation of the proposed project. Therefore, the proposed project is consistent with Policy 19.

***Policy 20:*** *Access to publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided, and it should be provided in a manner compatible with adjoining uses.*

As described above in the discussion of Policy 19, public access to the water's edge of Smith Point County Park and FIIS would be protected and maintained during construction and operation of the proposed project. Additional public access would be provided through the construction of the shared-use path, belvedere, and fishing pier that have been incorporated into the replacement bridge design of the Modified Preferred Alternative. Therefore, the proposed project is consistent with Policy 20.

## **RECREATION POLICIES**

***Policy 21:*** *Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast.*

As described above in the discussion of Policy 19, public access to water-dependent recreational activities would be protected, maintained, and improved during the construction and operation of the proposed project. The Modified Preferred Alternative's replacement bridge would provide improvements to access via ADA compliant sidewalks, a protected shared-use path for pedestrians and cyclists, a belvedere (viewing area) along the path, and a public fishing pier at the south end of the replacement bridge. Overall, there would be an improvement to vehicular access and expected increase in the existing level of pedestrian and bicycle access to water-related recreational resources as a result of the construction or operation of the proposed project. Therefore, the proposed project would be consistent with Policy 21.

## **Replacement of the Smith Point Bridge (BIN 3-30077-0) over Narrow Bay**

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**Policy 22:** *Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.*

As stated in the discussion of Policy 19, the proposed project would increase the level and types of access to water-related recreation. Therefore, the proposed project is consistent with Policy 22.

**Policy 23:** *Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the state, its communities, or the nation.*

Section 106 coordination between the Suffolk County Department of Public Works (SCDPW), the New York State Department of Transportation (NYSDOT), and the New York State Historic Preservation Office (SHPO) is ongoing. In April 2016, SHPO determined the Smith Point Bridge to be eligible for listing on the State and National Registers of Historic Places. Under the Modified Preferred Alternative, the existing bridge would be demolished, which SHPO determined would have an Adverse Effect on historic resources and recommended preparing a Memorandum of Agreement (MOA) to identify mitigation measures for the demolition of the bridge. The MOA was completed on March 18, 2019 and is included with **Attachment 8** to the Joint Application. The MOA includes stipulations to address the loss of the historic bridge, which SCDPW and NYSDOT believe would not need to be altered as a result of the project design changes reflected in the Modified Preferred Alternative, as the modifications do not result in adverse effects to historic resources not previously identified and evaluated.

Regarding potential archaeological resources, it was SHPO's initial assessment (as written in a letter dated May 23, 2012) that, "due to the shifting nature of the barrier island and the fact that much of the soil of the bridge is built upon fill that was brought in to build-up the previously existing wetlands, the potential for intact archaeological deposits is limited." However, areas that could be disturbed beyond the immediate area of the current bridge would require additional preliminary review for SHPO to provide an initial assessment of archaeological concerns. The proposed project would occur completely within the right-of-way of the William Floyd Parkway or adjacent County-owned portions of the Smith Point County Park (on the south end of the bridge) or the Smith Point County Marina (on the north side of the bridge) and may require earth moving activities in previously undisturbed areas that have the potential to contain archaeological resources. In correspondence dated May 10, 2018, SHPO indicated that there are no concerns regarding the potential for archaeological resources to be affected by the proposed project (see the Environmental Assessment in **Attachment 10**). Therefore, the proposed project would be consistent with Policy 23.

## **ENERGY AND ICE MANAGEMENT POLICIES**

**Policy 28:** *Ice management practices shall not interfere with production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.*

It is not anticipated that ice management practices would be required for the proposed project given the salinity levels in Narrow Bay. Therefore, Policy 28 is not applicable to the proposed project.

## **WATER AND AIR RESOURCES POLICIES**

**Policy 30:** *Municipal, industrial, and commercial discharge of pollutants, including, but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.*

Construction and operation of the proposed project would not result in municipal, industrial, or commercial discharge of pollutants into coastal waterways. Therefore, Policy 30 is not applicable to the proposed project.

***Policy 33:*** *Best management practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.*

During construction, an erosion and sediment control plan, including construction measures to reduce erosion and sedimentation (i.e., silt fencing, straw bales), would be incorporated into the SWPPP that would be developed in accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit GP-0-15-002. During operation, BMPs would be employed to control stormwater runoff from the proposed replacement bridge and roadways (e.g., vegetated swales and other measures would be used wherever possible to reduce the amount of runoff and to reduce pollutants transmitted in the stormwater). Therefore, the proposed project would be consistent with Policy 33.

***Policy 35:*** *Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.*

All filling within tidal wetlands would require a NYSDEC Article 25 Tidal Wetlands permit and the USACE Section 404 and Section 10 permits. Coordination with USACE and NYSDEC would determine jurisdiction of these areas and regulatory requirements (e.g., measures to minimize impacts). To offset filling impacts to tidal wetlands, compensatory mitigation would be calculated and implemented in coordination with the USACE, NYSDEC, NPS (FIS) and/or the United States Fish and Wildlife Service (USFWS). Furthermore, the project design has employed all practicable measures to avoid and minimize potential impacts to wetlands. Therefore, the proposed project would be consistent with Policy 35.

***Policy 36:*** *Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.*

The Modified Preferred Alternative would not involve the shipment or storage of petroleum or other hazardous materials. Therefore, Policy 36 is not applicable to the proposed project.

***Policy 38:*** *The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.*

Surface water within the vicinity of the proposed project is not a source for drinking water. Groundwater within Long Island has been designated as a primary source aquifer. As discussed in the Environmental Assessment (**Attachment 10**) and reaffirmed in the NEPA/SEQRA Re-evaluation (**Attachment 11**), which both reflect the Modified Preferred Alternative's design, the proposed project would not impact the quality and quantity of surface water or groundwater supplies. Therefore, the proposed project would be consistent with Policy 38.

***Policy 39:*** *The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources.*

## **Replacement of the Smith Point Bridge (BIN 3-30077-0) over Narrow Bay**

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The operation of the Modified Preferred Alternative upon project completion would require the transport, storage, and disposal of hazardous wastes. Based on an asbestos assessment survey performed for the project, asbestos containing materials are present within the existing bridge's control and storage houses. Demolition of the existing Smith Point Bridge would require abatement and transport of demolition materials and debris from these bridge components to an offsite licensed disposal facility, in compliance with federal, state, and local regulations. If unanticipated hazardous materials are encountered during demolition, those hazardous materials would also be handled and disposed of in compliance with federal, state, and local regulations.

All in-water work and land-disturbing construction activities for the Modified Preferred alternative would require, and be conducted in compliance with, the conditions of the Project's permits, including a Section 404/10 permit, SPDES permit, SWPPP, and NYSDEC Tidal Wetlands permit. As such, any transport, storage, treatment, or disposal of solid wastes required for the Modified Preferred Alternative would not have adverse effects to natural resources. Therefore, the proposed project would be consistent with Policy 39.

***Policy 40:*** *Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.*

The proposed project would not be a major steam electric generating facility or industrial facility. Therefore, Policy 40 would not be applicable.

***Policy 41:*** *Land use or development in the coastal area will not cause national or state air quality standards to be violated.*

As discussed in the Environmental Assessment (**Attachment 10**) and reaffirmed in the NEPA/SEQRA Re-evaluation (**Attachment 11**), which both reflect the Modified Preferred Alternative's design, the proposed project would not cause air quality violations. Construction of the proposed project would generate insignificant air emissions. Operation of the proposed project would not have the potential to result in a significant impact on air quality or contribute to any violation of any National or State Ambient Air Quality Standard. Therefore, the proposed project would be consistent with Policy 41.

***Policy 43:*** *Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.*

As described above under Policy 41 and in the Environmental Assessment (**Attachment 10**) and reaffirmed in the NEPA/SEQRA Re-evaluation (**Attachment 11**), which both reflect the Modified Preferred Alternative's design, the proposed project would not generate significant air emissions, including nitrates and sulfates. Therefore, the proposed project would be consistent with Policy 43.

### **WETLANDS POLICY**

***Policy 44:*** *Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

The proposed project would preserve and protect tidal and freshwater wetlands and the benefits derived from those areas. NYSDOS identifies the following benefits derived from the preservation of tidal and freshwater wetlands:

- Habitat for wildlife and fish, including a substantial portion of the state's commercial finfish and shellfish varieties; and contribution to associated aquatic food chains;
- Erosion, flood and storm control;
- Natural pollution treatment;
- Groundwater protection;
- Recreational opportunities;
- Educational and scientific opportunities; and
- Aesthetic open space in many otherwise densely developed areas.

The Environmental Assessment (**Attachment 10**) for the Modified Preferred Alternative provides a full description of the tidal wetlands located in the area of the proposed project and describes how the design and construction methods would minimize the potential impacts of the project on wetlands and therefore would preserve the benefits derived from these tidal wetlands. The NEPA/SEQRA Re-evaluation (**Attachment 11**) evaluates the effects of the design modifications on wetlands.

National Wetland Inventory- (NWI) mapped estuarine wetlands are present in the vicinity of the project site and consist of intertidal unconsolidated shoreline (E2USN) and subtidal aquatic beds with rooted vascular plants near the shoreline (E1AB3L) and subtidal deep-water areas with unconsolidated bottoms (E1UBL) under the bridge and in central portions of Narrow Bay. Unmapped federally regulated vegetated wetlands are also present (delineated originally on October 17, 2011 and October 10, 2017) at the northern and southern bridge landings, contiguous with and upslope from the NWI-mapped wetlands. A wetland delineation conducted in May 2022 reviewed these previously delineated wetlands and included additional areas (i.e., newly proposed staging areas, and existing parking lot in Smith Point County Marina), reflecting the Modified Preferred Alternative's design. These delineated wetlands consist of high-marsh wetlands, which receive tidal inundation sporadically during spring tide and storm surge and have prolonged soil saturation due to their low topographic position and flat grade adjacent to the shore. Native wetland plant species, such as saltmeadow cordgrass (*Spartina patens*), marsh elder (*Iva frutescens*), and groundsel bush (*Baccharis halimifolia*), are predominant, in addition to common reed (*Phragmites australis*), a non-native plant frequently found at the upland-wetland boundary in tidal wetland habitats. Hydrology indicators observed within the delineated wetlands include surface water, high water table, and soil saturation. The soils meet hydric (wetland) soil indicators and consist of sandy fill over former tidal marsh deposits.

NYSDEC-mapped tidal wetlands and regulated tidal wetland adjacent areas (i.e., 300 feet extending upslope from mean high water [MHW]) are present within the study area. The near-shore area throughout the study area is mapped as littoral zone (LZ). Portions of the southern shoreline in the study area are also mapped as coastal shoals, bars and flats (SM). The southeast quadrant of the study area is mapped as high marsh (HM). NWI- and NYSDEC-mapped freshwater wetlands and regulated freshwater adjacent areas are not present within the study area.

As discussed in **Attachments 10 and 11**, the implementation of erosion, flood, and storm control measures would minimize potential impacts on wetlands associated with discharge of stormwater runoff during land-disturbing activities resulting from construction of the proposed project. Approximately 14,850 square feet of tidal wetlands will be temporarily disturbed during construction of the Modified Preferred Alternative, and these areas will be restored or allowed to naturally return to existing conditions following completion of the replacement bridge. The use of

cofferdams, turbidity curtains, and temporary work trestles will be implemented to avoid and minimize impacts to tidal wetlands to the extent possible. Mitigation requirements for unavoidable impacts to tidal wetlands from the project will be determined in coordination with USACE and NYSDEC during the permitting process.

Thus, the proposed project would preserve and protect wetlands, thereby preserving their benefits. Therefore, the proposed project would be consistent with Policy 44.

## **C. LONG ISLAND SOUTH SHORE ESTUARY RESERVE COMPREHENSIVE MANAGEMENT PLAN**

### ***Policy 1: Improve and maintain water quality.***

As discussed above under Policy 30 of the New York State CMP, construction and operation of the proposed project would not result in municipal, industrial, or commercial discharge of pollutants into coastal waterways. As discussed above under Policy 33 of the New York State CMP, during construction of the Modified Preferred Alternative, an erosion and sediment control plan, including construction measures to reduce erosion and sedimentation (i.e., silt fencing, straw bales), would be incorporated into the SWPPP that would be developed in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit GP-0-15-002. During operation, best management practices would be employed to control stormwater runoff from the proposed replacement bridge and roadways (e.g., vegetated swales and other measures would be used wherever possible to reduce the amount of runoff and to reduce pollutants transmitted in the stormwater). Therefore, the proposed project would be consistent with Policy 1.

### ***Policy 2: Protect and restore living resources of the Reserve.***

As discussed above under Policy 1 of the LISSER Comprehensive Management Plan, the construction and operation of the proposed project would incorporate measures to minimize or eliminate point- and nonpoint-source pollution to the Great South Bay. NYSDOS has designated Smith Point County Park and Great South Bay–East as SCFWH. As discussed in detail in **Attachments 10 and 11**, the proposed project would not result in significant impacts to natural resources, including coastal fish and wildlife habitat. As described under Policy 7 of the New York State CMP, the proposed project would not destroy or significantly impair the viability of the Smith Point County Park and Great South Bay–East SCFWH. As discussed above under Policy 44 of the New York State CMP, mitigation requirements for unavoidable impacts to tidal wetlands from the project will be determined in coordination with USACE and NYSDEC during the permitting process. Furthermore, the project design has employed all practicable measures to avoid and minimize harm to wetlands.

Therefore, the proposed project would incorporate measures to protect and restore living resources of LISSER and would be consistent with Policy 2.

### ***Policy 3: Expand public use and enjoyment of the estuary.***

The proposed project would enhance public access to Smith Point County Park and FIIS by providing enhancements to pedestrian and bicycle access, maintaining vehicular access to Fire Island and constructing a new public fishing pier at the south end of the replacement bridge as part of the Modified Preferred Alternative. The project would not preclude or interfere with the development of other planned bike ways or walkways, and would be constructed within the existing right-of-way on the north end of the bridge. The south end of the bridge would be

constructed within portions of Smith Point County Park. In exchange for this new footprint, the land that becomes available in the footprint of the old bridge would be restored and transferred back to the Suffolk County Parks Department. Therefore, the proposed project would be consistent with Policy 3.

***Policy 4: Sustain and expand estuary-related economy.***

The proposed project is a bridge replacement project connecting the mainland of Long Island to Fire Island and would not negatively affect estuary-related economic activities in the area. Therefore, the proposed project would be consistent with Policy 4.

***Policy 5: Increase education, outreach, and stewardship.***

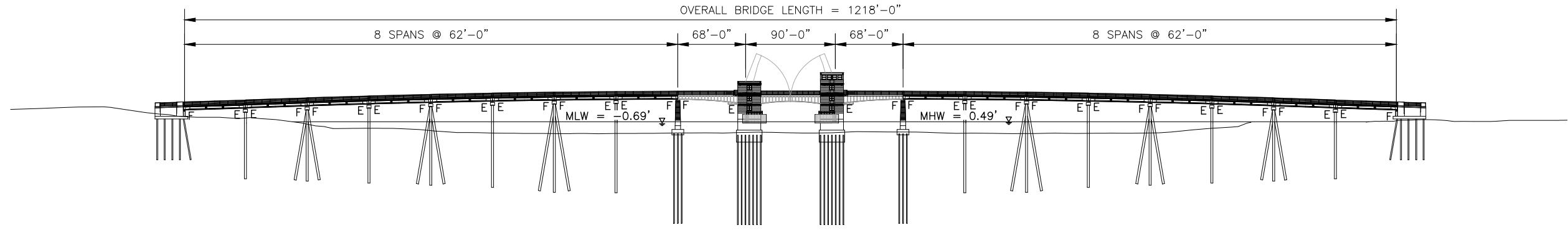
The proposed project would maintain and improve access to Smith Point County Park and FIIS, which encourage stewardship. While the south end of the bridge would be constructed within portions of Smith Point County Park, the land that becomes available in the footprint of the old bridge would be restored and transferred to the Suffolk County Parks Department. The FIIS Wilderness Visitor Center, which would not be disturbed or altered by the project, offers educational programs to the public related to ecology and the environment. Therefore, the proposed project would be consistent with Policy 5.



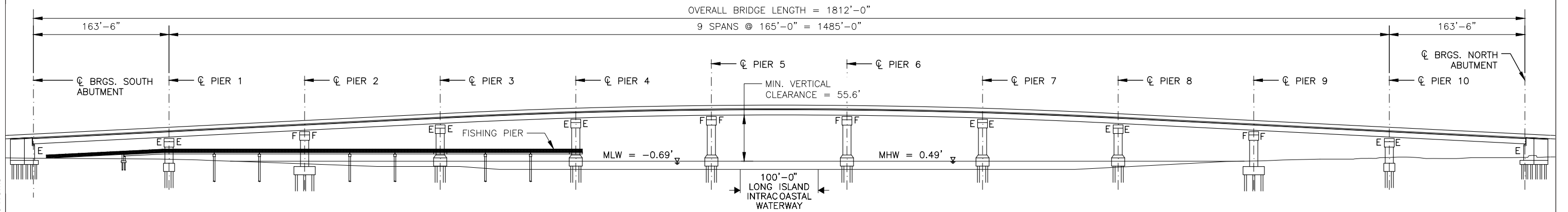


Project Site - Modified Preferred Alternative

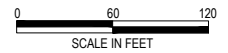




EXISTING CONDITION





PROPOSED CONDITION



Existing and Modified Preferred Alternative Bridge Pier Profiles  
Figure 2



-  Existing Bridge
-  Modified Preferred Alternative
-  Replacement Recreational Facilities
-  Existing Recreational Area  
(Includes volleyball courts, handball courts, basketball courts, picnic area, and rest rooms)

**SMITH POINT BRIDGE**

Modified Preferred Alternative -  
Bridge Alignment through  
Recreational Area and Location of  
Replacement Recreational Facilities

**Figure 3**

**GENERAL CONCURRENCE NO OBJECTION TO FUNDING AND  
CONCURRENCE WITH CONSISTENCY CERTIFICATION**

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
WWW.DOS.NY.GOV

ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

July 18, 2018

Teresa Cannone  
Environmental Scientist  
AKRF, Inc.  
440 Park South, 7<sup>th</sup> Floor  
New York, NY 10016

Re: F-2018-0336 (FA)  
Federal Highway Administration (FHWA) Federal  
Highway Surface Transportation Funds under the Federal  
Aid Highway Program – NYSDOT PIN 075978 – for  
Suffolk County Department of Public Works (DPW) –  
replacement of CR 46, Willian Floyd Parkway, Smith Point  
Bridge over Narrow Bay, Town of Brookhaven, County of  
Suffolk.

**General Concurrence No Objection to funding**

Dear Ms. Cannone:

The Department of State received the information you submitted regarding the above matter on 04/02/2018 and your response to our incomplete notice on 07/16/2018 clarifying that your request is under 15 CFR Part 930 Subpart F for funding, rather than Subpart D for federal agency authorization.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, the Department of State has no objection to the use of FHWA funds for this financial assistance activity. **This concurrence pertains to the financial assistance activity for this project only.**

When DPW submits applications to the US Army Corps of Engineers and to the US Coast Guard for federal permits or authorization required for this activity, the Department of State will conduct a separate review for those permit activities pursuant to 15 CFR Part 930 Subpart D. Please forward a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information to the Department at the same time it is submitted to the federal agency from which the necessary authorization is requested.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file # F-2018-0336 (FA).

Sincerely,



Gregory Capobianco  
Office of Planning, Development and  
Community Infrastructure

GC/jls

cc: SCDPW – Gilbert Anderson



**Department  
of State**



STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
HTTPS://DOS.NY.GOV

KATHY HOCHUL  
GOVERNOR

ROBERT J. RODRIGUEZ  
ACTING SECRETARY OF STATE

January 14, 2022

Jesse Moore  
AKRF  
440 Park Avenue South, 7<sup>th</sup> Floor  
New York, NY 10016

Re: F-2021-0808  
U.S. Army Corps of Engineers/New York District Permit  
Application-Suffolk County Dept of Public Works  
Demolish and replace the existing Smith Point Bridge with a  
high-level fixed bridge, constructed on a new alignment  
located west of the existing bridge. Restore  
parkland/amenities where the existing bridge will be removed  
and perform wetland restoration.  
1 William Floyd Parkway, Town of Brookhaven, Suffolk  
County, Narrow Bay.

**Concurrence with Consistency Certification**

Dear Jesse Moore:

The Department of State has completed its review of your consistency certification regarding the consistency of the above-referenced activity with the New York Coastal Management Program.

Pursuant to 15 CFR § 930.62, and based upon the project information submitted, the Department of State concurs with your consistency certification for this activity. This concurrence is without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, or other forms of authorization or approval that may be required pursuant to existing State statutes.

When communicating with us regarding this matter, please refer to our file #F-2021-0808.

Sincerely,



Sarah Crowell, AICP  
Director, Office of Planning, Development and  
Community Infrastructure

SC/rf

ecc: COE/ NY District -Tom Bruno  
DEC Region 1-Claire Werner  
Applicant- Kyle Swaringen, Suffolk County, Dept of Public Works



**Department  
of State**